

DETAILED ACTION

1. This office action is responsive to communication filed on April 8, 2010.

Response to Arguments

2. Applicant's arguments filed April 8, 2010 have been fully considered but they are not persuasive.

3. Applicant argues reproduction switching in Amir, between the segments of the play-list as well as between the skim video and the full length video, is not related to the present invention as presented in Applicant's Claim 13. Specifically, Amir fails to disclose reproducing a moving image which is one continuous video in different manners including switching between the reproduced moving image and a next moving image which is of another continuous video and is not included in the reproduced moving image. In this connection, it should be noted that the Amir play-list is not one continuous video as asserted in the Office Action. Further, Amir is silent as to reproduction control performed during reproduction of one segment of the play-list in a manner recited in amended Claim 13. Therefore, reproduction of the play-list, which may include sequential reproduction of the segments, does not disclose or suggest reproducing one continuous video in such a manner recited in the amended Claim 13.

4. The Examiner respectfully disagrees. Amir discusses different implementations of the invention in paragraph 0034. For instance, Amir teaches that the first media stream can be a video summary (i.e. video skim) of one particular news story, containing the news story and updated versions from a 24 hour period, with each version having a starting point in the second media stream (paragraph 0034, lines 8-

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16). Amir teaches in paragraph 0034, lines 25-29, "In yet another implementation, a play-list, composed of several or all of the video segments related to the story of interest is played. In this case, the user watches all these segments **as if they were combined together into one continuous video.**" Therefore, it is clear that in this implementation, the next moving image (i.e. next segment related to the story) is not included in the moving image which the reproduction unit terminates (i.e. previous moving image related to the story) as the media stream presented to the user is not a continuous video, but rather a play-list comprised of multiple video segments played "as if they were combined together into one continuous video".

5. The Examiner agrees that the play-list of Amir is not one continuous video, but rather a plurality of segments placed **as if they were combined together as one continuous video** (paragraph 0034, lines 25-29). This embodiment wherein the plurality of segments are played as if they were a continuous video, is presented as an alternative "implementation" to an embodiment wherein an entire 24 hour period worth of news comprises a video stream and a list of starting points corresponding to the desired portions of the video stream are stored in a table for user access (paragraph 0034, lines 10-29). When taking paragraph 0034 as a whole, it is clear that the "several or all of the video segments related to the story of interest" (i.e. separate continuous videos, paragraph 0034, lines 25-29) are the "different versions of the story" (paragraph 0034, lines 11-15). The Examiner interprets the first segment or version to comprise the claimed one continuous video, the second segment or version to comprises the claimed another continuous video, and so on.

6. Therefore, the rejection is maintained by the Examiner.

Claim Rejections - 35 USC § 102

7. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

8. Claims 13, 15 and 16 rejected under 35 U.S.C. 102(b) as being anticipated by Amir et al. (US 2002/0140719).

9. The Examiner's response to Applicant's arguments, as discussed above, is hereby incorporated into the rejection of claims 13, 15 and 16 by reference.

Consider claim 13, Amir et al. teaches:

An image processing apparatus comprising:

a reproducing unit which reproduces a moving image, which is one continuous video, from a storage medium in accordance with a predetermined reproduction time set in advance (A video stream is displayed on a monitor (figure 1), paragraph 0022. A segment of video (i.e. a moving image) is reproduced from a first video stream during a predetermined reproduction time, which segment provides part of a summary of a full length video. See paragraphs 0004, 0022 and 0023. The moving image can be remote-stored (paragraph 0021) such as in a database (paragraph 0026). Amir teaches in paragraph 0041 that, for instance, a skim video will play a 5 second segment of continuous video (i.e. a predetermined time set in advance), and then jump to a time

point 30 seconds into the video where the next video segment of the skim video is played.); and

a determining unit which determines whether a predetermined button is pressed, during reproduction of the moving image of the one continuous video by said reproducing unit, wherein if the predetermined reproduction time set in advance is passed without said determining unit determining that a first button is pressed, said reproducing unit stops reproducing the moving image, and if said determining unit determines that the first button is pressed before the predetermined reproduction time set in advance is passed, said reproducing unit continues to reproduce the moving image even if the predetermined reproduction time is passed (Amir teaches when a user is watching a skim video comprised of a plurality of video segments, and the user clicks tab 18, then the media stream (i.e. the full length video) continues to be reproduced even if the video segment length is passed (paragraph 0023). Amir teaches in paragraph 0041 that, for instance, a skim video will play 5 seconds of continuous video (i.e. a predetermined time set in advance), and then jump to a time point 30 seconds into the video where the next video clip of the skim video is played. Therefore, if a predetermined reproduction time set in advance is passed (i.e. 5 seconds) without the tab 18 being clicked, then the reproduction of the media stream (i.e. the full length video) is stopped, and the reproduction jumps to the next segment of the video skim. If the tab 18 is clicked before the predetermined reproduction time is passed (i.e. before 5 seconds), then the reproduction of the media stream (i.e. the full length video) is continued.),

to reproduce the moving image up to the end of the one continuous video and to start reproduction of the next moving image which is of another continuous video and is not included in the moving image reproduced up to the end thereof (Amir teaches in paragraph 0034, lines 25-29, "In yet another implementation, a play-list, composed of several or all of the video segments related to the story of interest is played. In this case, the user watches all these segments **as if they were combined together into one continuous video.**" Therefore, it is clear that in this implementation, the next moving image (i.e. next segment related to the story) is not included in the moving image which the reproduction unit terminates (i.e. previous moving image related to the story) as the media stream presented to the user is not a continuous video, but rather a play-list comprised of multiple video segments played "as if they were combined together into one continuous video".),

wherein said determining unit determines if a second button is pressed during the reproduction of the moving image continued by said reproducing unit after said determining unit determines that the first button is pressed before the predetermined reproduction time is passed, and if the second button is so pressed said reproducing unit terminates the continued reproduction of the moving image and then starts reproduction in accordance with the predetermined reproduction time to produce said next moving image which is of another continuous video and is not included in the moving image which said reproduction unit terminates to reproduce in response to the press of the second button (Amir teaches a button ("full video", 76) in figure 3 that is analogous to the button (i.e. first button, 18) in figure 1, as the button (76) enables the

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switching to the full video stream from, for instance, a skim video, paragraph 0026.

Amir et al. teaches in figure 3 and paragraph 0026 and more specifically in paragraphs 0027 and 0034, that at any time during the playback of the moving image a "next result" button (i.e. second button, 84) can be clicked to skip to a next moving image.

Therefore, if button 76 is clicked to reproduce the entire video stream before the predetermined time is passed, and the next result button 84 is subsequently clicked, the continued reproduction of the current moving image is terminated and the reproduction of the next moving image is started. Amir teaches in paragraph 0034, lines 25-29, "In yet another implementation, a play-list, composed of several or all of the video segments related to the story of interest is played. In this case, the user watches all these segments **as if they were combined together into one continuous video.**"

Therefore, it is clear that in this implementation, the next moving image (i.e. next segment related to the story) is not included in the moving image which the reproduction unit terminates (i.e. previous moving image related to the story) as the media stream presented to the user is not a continuous video, but rather a play-list comprised of multiple video segments played "as if they were combined together into one continuous video".).

Amir et al. additionally teaches that the media clips may be altogether different segments which may be watched together as if combined into one continuous video (paragraph 0026), and additionally addresses the implementation of slide shows (paragraph 0004). Amir et al. also teaches of implementation in a cellular device or PDA (paragraph 0044).

Consider claim 15, and as applied to claim 13 above, Amir et al. additionally teaches a display unit (monitor, figure 1, figure 3) which displays the moving image reproduced by said reproducing unit from the storage medium, wherein said display unit displays the moving image reproduced by said reproducing unit even after the predetermined reproduction time is passed, if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed (paragraphs 0022-0024, claim 13 rationale).

Consider claim 16, and as applied to claim 13 above, Amir et al. further teaches a video signal output unit (monitor, figure 1, figure 3) which outputs the moving image reproduced by said reproducing unit from said storage medium, wherein said video signal output unit outputs the moving image reproduced by said reproducing unit even after the predetermined reproduction time is passed, if said determining unit determines that the first button is pressed before the predetermined reproduction time is passed (paragraphs 0022-0024, claim 13 rationale).

Claim Rejections - 35 USC § 103

10. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

11. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Amir et al. in view of Wolf et al. (US 2004/0201688).

Consider claim 17, and as applied to claim 13 above, Amir et al. teaches that the image processing apparatus can be implemented using a computer (paragraph 0002), but does not explicitly teach that the image processing apparatus includes a digital camera.

Wolf et al. similarly teaches of an image processing apparatus (figure 1).

However, Wolf et al. additionally teaches that the image processing apparatus (figure 1) includes a digital camera (digital camera, 10, paragraph 0035).

Therefore, it would have been obvious to a person having ordinary skill in the art at the time of the invention to have the image processing apparatus taught by Amir et al. include a digital camera as taught by Wolf et al. for the benefit of improving the versatility of the image processing apparatus by enabling the playing and storage of image files from an alternate source (Wolf et al., paragraphs 0007 and 0035).

Conclusion

12. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALBERT H. CUTLER whose telephone number is (571)270-1460. The examiner can normally be reached on Mon-Thu (9:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sinh Tran can be reached on (571) 272-7564. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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